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REMARKS

In response to the Official Action dated 7/22/2003, the above-identified application has been amended to place the case in better condition for allowance. Review and reconsideration are requested in view of the above amendments and following remarks.

The Examiner again noted the rejection to the drawings. Applicant has amended the specification at page 6, to correspond to the drawings to include "32' "and the submit formal drawings (copy herewith) under separate cover which are believed to be acceptable. Withdrawal of the rejection is requested.

The Examiner rejected claims 1, 3, 9, 11 and 14 under 35 U.S.C.§ 102 as anticipated by Martin. The examiner stated that Martin included the claimed elements notably that the centralizer fins 38 are the same as that of the instant invention.

Applicant respectfully traverses. Martin states at column 5, lines 46-68 states as follows:

> A restraining means 38 is provided for each open end 44 of the containment housing 34, i.e., for each open end 44, 48 of the containment housing 34 and carrier housing 36. The restraining means 38 securely connects the carrier housing 36 to the containment housing 34 and restrains any expansion and contraction of the carrier pipe 28 and containment pipe 26, such as thermal expansion and contraction, as well as other end loadings such as those created by pressure surges and fluid pulsations in the system 20. The restraining means 38 also restrains any expansion, contraction, or other motion of the carrier housing 36 and the container housing 34 relative to each other. The restraining means 38 also positions the carrier housing 36 within the containment housing 34, as further discussed below. By "securely connects" is meant any type of joining or fastening, such as welding, bolting, chemical bonding, threading, etc., compatible with the materials of which the fitting 22 is made, which will withstand the anticipated loadings and forces on the connection and which will restrain the anticipated expansion, contraction and other end loadings of the pipes 26, 28 on the fitting 22, as further discussed herein.

At column 7, lines 66-68 and column 8, lines 1-7, Martin states:

> The restraining means 38 must be securely connected between the containment and carrier housings 34, 36. The containment pipe 26 and/or carrier pipe 28 may be

directly connected to the restraining means 38 in addition to the containment and carrier housings 34, 36 if desirable or advantageous in a specific configuration. As will be further discussed below, in the preferred embodiment, the restraining means 38 is directly adhesively bonded to the containment housing 34 and to the carrier housing 36.

Martin goes on in its specification to describe the restraining means 38 as fixed and as a means of restraining the movement between the containment pipe 34 and carrier pipe 36. Martin clearly does not teach of fins which enable the movement between the two pipes. Martin teaches just the opposite. Further, Martin does not provide for fins, rather the restraining means 38 as stated at column 7, lines 56-60 "may be composed of individual pieces or parts which are secured in their position about the circumference of the fitting 22 as best exemplified in FIGS. 2 and 4, or may be a complete ring." Indeed, there is no recognition by Martin for there to be fins as in the present invention.

The meaning of fin, as is viewed in applicant's drawings and specification in no way is taught, suggested or described by Martin. Dictionary.com defines fin as follows:

fin[1] [P] **Pronunciation Key** (fĭn)
n.

1. A membranous appendage extending from the body of a fish or other aquatic animal, used for propelling, steering, or balancing the body in the water.
2. Something resembling a fin in shape or function, as:
    a. A fixed or movable airfoil used to stabilize an aircraft, missile, or projectile in flight.
    b. A thin, usually curved projection attached to the rear bottom of a surfboard for stability.
    c. A projecting vane used for cooling, as on a radiator or an engine cylinder.
    d. See tail fin.

Quite clearly, Martin lacks a fin and does not provide an equivalent structure to aid in sliding between the carrier and containment pipe. As for the restraining means 38 being radially spaced, Applicant again directs the Examiner to column 7, lines 56-60 where Martin states "restraining means 38 may be composed of individual pieces or parts which are secured in their position about the circumference of the fitting 22 as best exemplified in FIGS. 2 and 4, or may be a complete ring." Applicant asserts that Martin clearly lacked an appreciation for providing fins as in the present invention. The fins of the instant invention serve multiple purposes of which prevents movement thereof with respect to one pipe, i.e., the carrier pipe, ***only*** such that the carrier pipe and fins slides as a unit within the containment pipe as well as providing for a leak detection cable to be readily inserted thereby. Withdrawal of the rejection is respectfully requested.

The Examiner rejected claims 5 and 13 under 35 U.S.C.§ 103 as unpatenable over Martin in view of Ewen et al. It was stated that Ewen et al. teach of a quick connect clamp.

Ewen et al. teach of a clamp, they do so for the purpose of holding the ends of the containment pipes together so that the ends can be welded together rendering a fixed connection of the containment pipe and after which they are removed (col. 8 lines 58-60). This is contrasted with the present invention which uses clamps with seals to hold the containment pipes together in a sealed manner and if removed would disconnect the containment pipes. Martin states in column 1, lines 44-49, that the need for fittings at the job site can be eliminated, i.e., through the use of the restraining means 38. The use of the clamps in Ewen et al. does not provide a motivation to use them in Martin and even if one did, it would not provide the instant invention. Accordingly, withdrawal of the rejection is respectfully requested.

The Examiner rejected claims 6 and 14 under 35 U.S.C.§ 103 as unpatenable over Martin in view of Selby '066. It was stated that Selby teaches of a leak detection device.

Applicant would agree that Selby teaches a leak detection device, but that adding a leak detection device with the teaching of Martin does not provide the claimed invention. Nor is there motivation to combine the references. Martin clearly states that the restraining means 38 can be a ring, thus preventing the use of a leak detection device as contemplated in the instant invention. It was the purpose of Martin to provide the restraining means 38 to aid against expansion and contraction. While one could have combined the references, there is no motivation to do so and it would not have provided the claimed invention in any case. Accordingly, withdrawal of the rejection is respectfully requested.

Accordingly, the remaining claims are respectfully submitted to be patentably distinguished over the cited art. Withdrawal of the rejection is respectfully requested and allowance of claims 1, 3, 5-6, 9, 11, and 13-14 is requested at as early a date as possible. This is intended to be complete response to the Official Action dated 7/22/2003.

Respectfully submitted,

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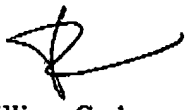

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